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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/594,786	06/16/00	INGRAM	G 023460.00001

WM02/0815  
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EXAMINER	
TRAN, P	
ART UNIT	PAPER NUMBER

2155

DATE MAILED:

08/15/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

09/594,786

Applicant(s)

Ingram Et. Al.

Examiner

Philip B. Tran

Art Unit

2155



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on May 30, 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4 20) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1, 11, and 19-21 are rejected under 35 U.S.C. § 102(e) as being anticipated by Rosen et al (Hereafter, Rosen), U.S. Pat. No. 5,995,102.

Regarding claim 1, Rosen teaches a method comprising displaying a toolbar if a pointer is proximate the hyperlink for a time period which exceeds a predetermined time, the toolbar displaying at least one link enhancement, and in response to a users selection of a selected link enhancement, performing the selected link enhancement (i.e., displaying option "click here" when the mouse cursor is moved over the banner advertisement which is in the form of a hyperlink and if the user choose the option it will link to some other screen windows) [see Col. 1, Lines 25-40].

Claims 11 and 19-21 are rejected under the same rationale set forth above to claim 1.

*Claim Rejections - 35 U.S.C. § 103*

3. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CAR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 2-10 and 12-18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Rosen et al (Hereafter, Rosen), U.S. Pat. No. 5,995,102.

Regarding claim 2, Rosen does not explicitly teach the at least one link enhancement displayed comprises at least one of: open in new window, open in new window minimized, check it later, or anchor current page. However, the use of options for opening a new window, resizing a window and anchoring the current page is well-known in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement icons or buttons displaying a variety of link selections in order to provide a friendly use.

Regarding claims 3-10, Rosen does not explicitly teach performing the selected link enhancement comprises: opening the page associated with the selected link in a new browser window, minimizing the new browser window without any user action, creating a clickable item such as label or image in a window associated with the selected hyperlink. However, the use of clickable items in a window associated with the hyperlinks for opening a new page or minimizing a window is well-known in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement icons or buttons displaying a variety of link selections for the same reasons set forth above to claim 2.

Claim 12 is rejected under the same rationale set forth above to claims 2.

Claims 13-18 are rejected under the same rationale set forth above to claims 3-10.

#### *Other References Cited*

5. The following references cited by the examiner but not relied upon are considered pertinent to applicant's disclosure.

- A) Nation, U.S. Pat. No. 5,983,244.
- B) Berstis, U.S. Pat. No. 6,018,345.
- C) Hoyle, U.S. Pat. No. 6,141,010.
- D) Arcuri et al, U.S. Pat. No. 6,133,915.
- E) Bolnick et al, U.S. Pat. No. 5,838,317.

6. A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE THREE MONTHS, OR THIRTY DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. FAILURE TO RESPOND WITHIN THE PERIOD FOR RESPONSE WILL CAUSE THE APPLICATION TO BECOME ABANDONED (35 U.S.C. § 133). EXTENSIONS OF TIME MAY BE OBTAINED UNDER THE PROVISIONS OF 37 CAR 1.136(A).


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (703) 308-8767. The Group fax phone number is (703) 305-7201.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh, can be reached on (703) 305-9648.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

PBT

Philip B. Tran  
Art Unit 2155  
August 09, 2001

  
AYAZ SHEIKH  
SUPERVISORY PATENT EXAMINER  
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